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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David M. Koelle et al. Examiner: Not yet assigned  
Serial No.: 10/623,429 Group Art Unit: 1645  
Filed: July 18, 2003 Docket: G&C 30967.11-US-U1  
Title: RAPID, EFFICIENT PURIFICATION OF HSV-SPECIFIC T-LYMPHOCYTES AND HSV  
ANTIGENS IDENTIFIED VIA SAME

**CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 17, 2003.

By: 

Name: Karen S. Canady

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing a Certificate of Mailing under 37 CFR 1.8.
- ☒ Information Disclosure Statement and Form PTO-1449.
- ☒ Cited Reference(s).
- ☒ Return postcard.

Please consider this a **PETITION FOR EXTENSION OF TIME** for a sufficient number of months to enter these papers, if appropriate.

Please charge all fees to Deposit Account No. 50-0494 of Gates & Cooper LLP. A duplicate of this paper is enclosed.

CUSTOMER NUMBER 22462

**GATES & COOPER LLP**

Howard Hughes Center  
6701 Center Drive West, Suite 1050  
Los Angeles, CA 90045  
(310) 641-8797

By: 

Name: Karen S. Canady

Reg. No.: 39,927

KSC/sjm

(PTO TRANSMITTAL - GENERAL)

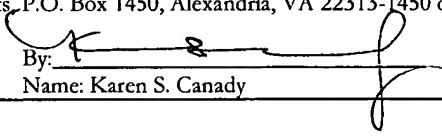


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INFORMATION DISCLOSURE STATEMENT(37 C.F.R. §1.97(b))

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided (if required).

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art". Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please direct any response or inquiry to the below-signed attorney at (310) 641-8797.

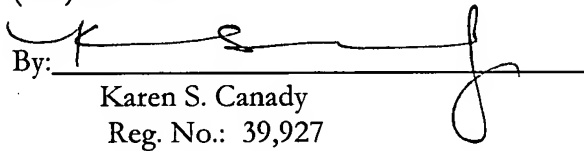
Respectfully submitted,

GATES & COOPER LLP  
Attorneys for Applicant(s)

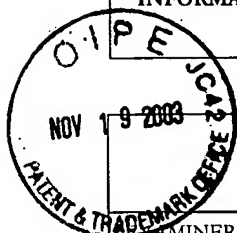
Howard Hughes Center  
6701 Center Drive West, Suite 1050  
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(310) 641-8797

Date: November 17, 2003

KSC/sjm

By:   
Karen S. Canady  
Reg. No.: 39,927

Form 1449*	Docket Number: G&C 30967.11-US-U1	Application Number: 10/623,429
INFORMATION DISCLOSURE STATEMENT		
Applicants: David M. Koelle et al.		
Filing Date: July 18, 2003	Group Art Unit: 1645	



## U.S. PATENT DOCUMENTS

## COPIES NOT REQUIRED

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,859,587	08/22/89	Roizman			
	6,375,952	04/23/02	D.M. Koelle			
	6,413,518	07/02/02	D.M. Koelle			

## FOREIGN PATENTS

## COPY PROVIDED

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 98/20016 (pp 1-40 & 742-745)	05/14/98	PCT (Seq. Tables excluded to save paper)				

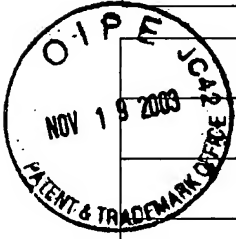
## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

## COPIES PROVIDED

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	A. Dolan et al., "The Genome Sequence of Herpes Simplex Virus Type 2, Journal of Virology, 1998, 72(3):2010-2021
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	D.M. Koelle, "The Roles of T Lymphocytes in Host Responses to Herpes Simplex Virus," Herpes, 1995, 2:83-88
	D.M. Koelle et al., "Clearance of HSV-2 from Recurrent Genital Lesions Correlates with Infiltration of HSV-Specific Cytotoxic T Lymphocytes," The Journal of Clinical Investigation, 1998, 101(7):1500-1508
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	D.M. Koelle et al., "Direct Recovery of Herpes Simplex Virus (HSV)-Specific T Lymphocyte Clones from Recurrent Genital HSV-2 Lesions," The Journal of Infectious Diseases, 1994, 169:956-61
	D.M. Koelle et al., "Antigenic Specificities of Human CD <sup>+</sup> T-Cell Clones Recovered from Recurrent Genital Herpes Simplex Virus Type 2 Lesions," Journal of Virology, 1994, 68(5):2803-2810
	W.W. Kwok et al., "Peptide Binding Affinity and pH Variation Establish Functional Thresholds for Activation of HLA-DQ-Restricted T Cell Recognition," Human Immunology, 1999, 60(7):619-626
	Paoletti, "Applications of Pox Virus Vectors to Vaccination: An Update," Proceedings of the National Academy of Science USA, October 1996, 93:11349-11353
	C.M. Posavad et al., "High Frequency of CD8 <sup>+</sup> Cytotoxic T-Lymphocyte Precursors Specific for Herpes Simplex Viruses in Persons with Genital Herpes," Journal of Virology, 1996, 70(11):8165-8168
	S. Reichstetter et al., "MCH-Peptide Ligand Interactions Establish a Functional Threshold for Antigen-Specific T Cell Recognition," Human Immunology, 1999, 60(7):608-618
	B. Roizman et al., "Herpes Simplex Viruses and Their Replication", Fundamental Virology, 2 <sup>nd</sup> Edition, ed. Fields et al, Raven Press, 1991, New York, pp. 849-895.

EXAMINER:	DATE CONSIDERED:
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

Form 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION	Docket Number: G&C 30967.11-US-U1	Application Number: 10/623,429
	Applicants: David M. Koelle et al.	
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	Stanberry, "Glycoprotein-D-Adjuvant Vaccine to Prevent Genital Herpes," N. Engl. J. Med., 2002, 347(21):1652-1661
	M.A. Tigges et al., "Human CD8 <sup>+</sup> Herpes Simplex Virus-Specific Cytotoxic T-Lymphocyte Clones Recognize Diverse Virion Protein Antigens," Journal of Virology, 1992, 66(3):1622-1634
	Williams et al., "Characterization of a Herpes Simplex Virus Type 2 Deoxyuridine..." Virology, 1987, 156:282-292
	Williams, "Deoxyuridine Triphosphate Nucleotidohydrolase Induced by Herpes Simplex Virus Type 1," Jnl. of Biological Chemistry, 1984, 259(16): 10080-10084

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